

MERRILEE C. MILLER (SBN 157100)
LAW OFFICES OF WILLIAM J. DIFFENDERFER
One Market, Spear Tower, Suite 2150
San Francisco, CA 94105
Phone: 415-348-4150
Fax: 800-914-3772

Attorney for Defendant/Cross-Complainant
CATHAY MORTUARY WAH SANG INC.
dba ASHLEY & MCMULLEN MORTUARY
WING SUN SUCCESSOR TO CATHAY MORTUARY WAH SANG
(erroneously named and sued herein as
ASHLEY & MCMULLEN-WING SUN MORTUARY
and ASHLEY & MCMULLEN)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SETA SAAD and CHRISTIAN E. SAAD,
individually and as representatives of the
Estate of Raymond Saad,

Plaintiffs,

v.

GUIDANT CORPORATION; GUIDANT
SALES CORPORATION; CARDIAC
PACEMAKERS, INC.; BOSTON
SCIENTIFIC CORPORATION; ASHLEY &
MCMULLEN-WING SUN MORTUARY, a
business entity form unknown, ASHLEY &
MCMULLEN, a business entity form
unknown; and DOES 1 through 20, inclusive,

Defendants.

CATHAY MORTUARY WAH SANG INC.
dba ASHLEY & MCMULLEN MORTUARY
WING SUN SUCCESSOR TO CATHAY
MORTUARY WAH SANG,

Cross-Complainant,

Case No.: C 08-00053-PJH

**DECLARATION OF MERRILEE C.
MILLER IN SUPPORT OF CATHAY
MORTUARY WAH SANG INC. dba
ASHLEY & MCMULLEN MORTUARY
WING SUN SUCCESSOR TO CATHAY
MORTUARY WAH SANG JOINDER IN
PLAINTIFFS' MOTION FOR REMAND**

Hearing Date: February 20, 2008

Time: 9:00 a.m.

Location: Courtroom 3, 17th Floor

Judge: Honorable Phyllis J. Hamilton

Complaint Filed: October 29, 2007

Removal Filed: January 4, 2008

1 v.

2 GUIDANT CORPORATION; GUIDANT
3 SALES CORPORATION; CARDIAC
4 PACEMAKERS, INC.; BOSTON
5 SCIENTIFIC CORPORATION; and ROES 1
through 50, inclusive,

6 Cross-Defendants.

7 I, Merrilee C. Miller, declare:

8 1. I am an attorney duly licensed to practice law before all the courts in the State of
9 California and am an attorney at the Law Offices of William J. Diffenderfer, in San Francisco,
10 California, attorneys of record for Defendant CATHAY MORTUARY WAH SANG INC.
11 dba ASHLEY & MCMULLEN MORTUARY WING SUN SUCCESSOR TO CATHAY MORTUARY
12 WAH SANG.

13 2. I have personal knowledge of each matter stated herein.

14 3. A true and correct copy of California Secretary of State's notice of corporate active
15 status from the Secretary of State website is marked and attached hereto as Exhibit "A".
16

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct of my own personal knowledge, that I could testify competently
19 hereto if called as a witness and that this declaration is executed on January 29, 2008 at San
20 Francisco, California.

21
22 By:



Merrilee C. Miller

EXHIBIT A

California Business Portal

Secretary of State DEBRA BOWEN

DISCLAIMER: The information displayed here is current as of JAN 25, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
CATHAY MORTUARY - (WAH SANG)		
Number: C0201916	Date Filed: 1/21/1946	Status: active
Jurisdiction: California		
Address		
4200 GEARY BLVD		
SAN FRANCISCO, CA 94118		
Agent for Service of Process		
DAPHNE DAPHNE		
4200 GEARY BLVD		
SAN FRANCISCO, CA 94118		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.